

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 558

October 31, 1995, 5:49 p.m.
Page S-16398 Temp. Record

ENERGY-WATER APPROPRIATIONS CONFERENCE/Passage

SUBJECT: Conference report to accompany the Energy and Water Development Appropriations Bill for fiscal year 1996 . . . H.R. 1905. Agreeing to the conference report.

ACTION: CONFERENCE REPORT AGREED TO, 89-6

SYNOPSIS: The conference report to accompany H.R. 1905, the Energy and Water Development Appropriations Bill for fiscal year 1996, will provide \$19.336 billion in new budget authority (BA) to the Department of Defense's Civil Corp of Engineers, to the Department of the Interior's Bureau of Reclamation, to the relevant offices within the Department of Energy, and to related independent agencies and commissions. Appropriations will be as follows:

- Army Corps of Engineers: \$3.201 billion, including \$805 million for construction of water resource projects, \$308 million for Mississippi River flood control, and \$1.7 billion for operation and maintenance activities;
 - Department of the Interior, Bureau of Reclamation: \$800 million, including \$44 million for the Central Valley (California) project restoration fund;
 - Department of Interior, Central Utah Project, \$44 million;
 - Department of Energy: \$15.389 billion, including \$5.558 billion for atomic energy defense environmental restoration and waste management, \$3.460 billion for atomic energy weapons activities, \$2.727 billion for energy supply research and development, and \$312.5 million for Power Marketing Administrations; and
 - Independent agencies: \$331.5 million, including \$170 million for the Appalachian Regional Commission and \$109.2 million for the Tennessee Valley Authority.
- Miscellaneous:
- the Gas Turbine-Modular Helium Reactor program will be terminated (see vote No. 347);
 - the amount that Bonneville Power Administration ratepayers will have to pay for salmon recovery costs will be capped at \$435 million per year; and
 - funding will be provided for the Animas-La Plata water project.

(See other side)

YEAS (89)				NAYS (6)		NOT VOTING (4)	
Republican (47 or 92%)		Democrats (42 or 95%)		Republicans (4 or 8%)	Democrats (2 or 5%)	Republicans (2)	Democrats (2)
Abraham	Hatch	Akaka	Hollings	Brown	Johnston	Hatfield- ^{2AY}	Bradley- ²
Ashcroft	Helms	Baucus	Inouye	McCain	Lieberman	Kempthorne- ²	Pryor- ²
Bennett	Hutchison	Biden	Kennedy	Smith			
Bond	Inhofe	Bingaman	Kerrey	Thomas			
Burns	Jeffords	Boxer	Kerry				
Campbell	Kassebaum	Breaux	Kohl				
Chafee	Kyl	Bryan	Lautenberg				
Coats	Lott	Bumpers	Leahy				
Cochran	Lugar	Byrd	Levin				
Cohen	Mack	Conrad	Mikulski				
Coverdell	McConnell	Daschle	Moseley-Braun				
Craig	Murkowski	Dodd	Moynihan				
D'Amato	Nickles	Dorgan	Murray				
DeWine	Pressler	Exon	Nunn				
Dole	Roth	Feingold	Pell				
Domenici	Santorum	Feinstein	Reid				
Faircloth	Shelby	Ford	Robb				
Frist	Simpson	Glenn	Rockefeller				
Gorton	Snowe	Graham	Sarbanes				
Gramm	Specter	Harkin	Simon				
Grams	Stevens	Heflin	Wellstone				
Grassley	Thompson						
Gregg	Thurmond						
	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Those favoring passage contended:

There are two principle functions within the Energy and Water Development Appropriations bill. These functions are separated into defense and domestic discretionary accounts. The bill provides \$10.7 in defense discretionary budget authority for the Department of Energy's atomic energy defense activities. We are in a great transition period with reference to our nuclear deterrent capabilities. Our objectives are to reduce our nuclear arsenal and to safeguard and maintain the remaining warheads to ensure their safety and reliability. A large part of our effort will be to develop the capability to test nuclear warheads without nuclear detonations. New equipment and new instruments along with new computing technologies will be developed for this effort.

For domestic discretionary accounts, which include the Army Corp of Engineers, the non-defense activities of the Department of Energy, and the Bureau of Reclamation, this bill will provide \$8.7 billion. This latter amount is \$1.3 billion below the current level. Due to this dramatic reduction, most domestic discretionary programs funded by this bill will be cut significantly. Cuts were not made across-the-board, however. The basic science research capabilities of the Department of Energy in the areas of biological and environmental research, basic energy sciences, high energy physics, and nuclear energy will be protected.

One very unfortunate part of this bill is that it will cut funding for nuclear waste disposal. To date, we have collected more than \$10 billion from nuclear energy producers to create a long-term disposal facility for nuclear waste. We have spent \$5 billion of that amount and have almost nothing to show for it. Everyone is well aware that the Yucca Mountain site in Nevada would be a perfect long-term storage site. No danger, ever, would be posed to anyone by burying the waste permanently at this site. Still, irrational fear based on ignorance and on false claims of danger by environmentalists (who are eager to block the building of a permanent storage site anywhere as a means of stopping nuclear energy production entirely), has caused the citizens of Nevada to oppose this storage site. The Senate has expressed support for moving forward with site characterization at Yucca Mountain. Now, though, new problems have risen. First, the Administration does not appear to be in a hurry to proceed in an election year, and second, the National Academy of Sciences has said to safeguard against human intrusion, it has to be made impossible for someone to put up a derrick, drill down through the mountain, through stored nuclear waste, and then down even deeper to the underlying aquifer. This standard is absolutely ridiculous. Who is going to move through the defense security checkpoints, set up a drilling rig in the middle of the waste disposal buildings, and then punch a hole through the mountain, through a waste container, all the way to the aquifer? We are sick of this charade. We think we may need to eliminate the Federal tax and let utilities solve the problem themselves. They could, for example, use on-site, "dry cast storage." That disposal means would cost them \$5 billion to \$7 billion and would be completed by 2010. After years of struggling with this issue we are pretty pessimistic about the ability of the Government to put politics aside for the good of the country and take care of this problem.

Another serious concern we have with this conference report is that it does not go far enough to protect Bonneville Power Administration electric ratepayers from the Clinton Administration's plan to make them pay an extra \$600 million per year for salmon recovery costs. We think solely for short-term political reasons the Clinton Administration has agreed to cap costs at "only" \$435 million a year in this bill. This amount still is outrageously high, representing a win of environmental fanaticism over simple commonsense concern for the rights of American citizens.

A third area of concern is with the Animas-La Plata water project. The language in this bill makes it clear that the Congress is absolutely committed to the swift and successful completion of this project. Under the terms of the 1988 Colorado Ute Indian Water Rights Settlement Act, the United States has a trust obligation to the Southern Ute and Ute Mountain Indian Tribes to complete the project. In reality, this obligation goes back to 1868 when the United States agreed by treaty to provide water. Since 1988, though, delays have occurred due to the vociferous opposition of radical environmentalists, who have no qualms about trying to force the United States to renege on solemn treaty obligations. Though the proposed water project in 1988 was in full compliance with every Federal environmental statute, including the National Environmental Policy Act, the Clean Water Act, and the Endangered Species Act, and even though a final environmental impact statement had already been completed, environmental fanatics began to file harassing lawsuits. One unfounded claim after another has been advanced demanding more studies, more reviews, and more opinions. One of the groups filing suit has admitted that its goal is simply to delay the project for at least 40 years, thus killing it. This abuse of the judicial process should be put to a stop. We are very pleased with the funding in this bill for the project, but we should also have forbidden further suits.

Despite our concerns with this bill, we still are overall very pleased with its funding priorities. We therefore urge Senators to vote for its adoption.

No arguments were expressed in opposition to passage.